

Document #4743

4/17/86

MEMORANDUM

APRIL 17, 1986

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: RICHARD GARVER, ASSISTANT DIRECTOR FOR
SPECIAL PROJECTS
MARTHA BAILEY, SENIOR PROJECT COORDINATOR

SUBJECT: CONFIRMATORY ORDER OF TAKING OF STREETS WITHIN
PARCEL 18 LOCATED IN THE SOUTH END AND CAMPUS
HIGH URBAN RENEWAL PROJECT AREAS

The Parcel 18 development is moving ahead quickly, with recent release of the Draft Interim Report. The BRA has been acting as development agent for the City and the State in accordance with the Parcel 18+ Agreement approved by the Board on July 25, 1985 and signed by the Mayor, Governor and BRA Director on July 31, 1985.

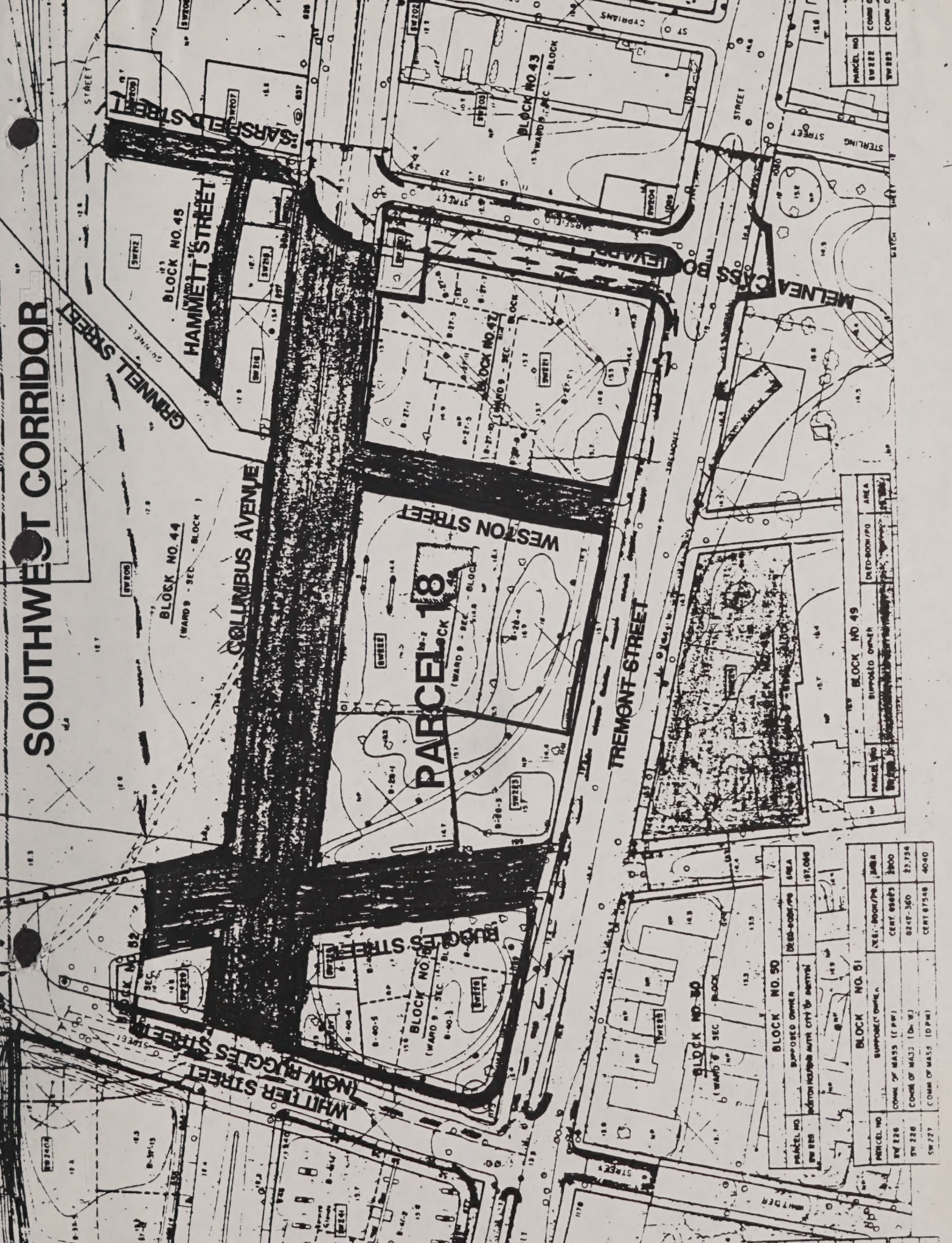
There are city streets within the parcel boundaries which have been functionally discontinued as public rights-of-way in order to consolidate the site initially for construction of the Ruggles Street Station and the Southwest Corridor tracks and later for the development of the proposed Parcel 18 mixed-use project. Parcel 18 is included partially within the South End Urban Renewal Project Area and partially within the Campus High Urban Renewal Project Area.

For title perfection purposes, it is proposed that there be a confirmatory order of taking of the land under the city streets within the Parcel 18 boundaries which are Ruggles Street (formerly Whittier Street), Tremont Street, Melnea Cass Boulevard (formerly Sarsfield Street) and the Southwest Corridor. The streets include portions of Columbus Avenue, Ruggles Street, Weston Street and Grinnell Street; and Hammett Street.

An appropriate vote follows:

VOTED: That the Authority authorize a Confirmatory Order of Taking of the land under the city streets within the Parcel 18 boundaries, with the total area included within the South End and Campus High Urban Renewal Project Areas.

SOUTHWEST CORRIDOR



COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

RESOLUTION

BE IT RESOLVED by the Boston Redevelopment Authority that an Order of Taking dated **APR 17 1986** relating to portions of the CAMPUS HIGH SCHOOL URBAN RENEWAL AREA, MASS. R-129 and the SOUTH END URBAN RENEWAL AREA, MASS. R-56, be executed and made a permanent part of these proceedings, copies of which the Secretary shall cause to be recorded in the office of the Registry of Deeds for the County of Suffolk.

A true copy

CERTIFICATE

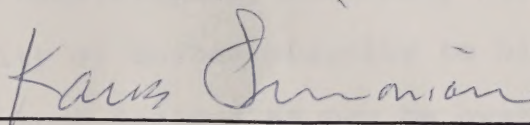
I hereby certify that the following names constitute the entire membership of the Boston Redevelopment Authority:

Robert L. Farrell
Joseph J. Walsh
James K. Flaherty

Clarence J. Jones
Michael F. Donlan

A true copy

ATTEST:



Secretary of the Boston Redevelopment Authority

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, in accordance with G.L., c. 121B and its predecessor statute, G.L., c. 121, adopted and filed in the Suffolk County Registry of Deeds, Book 8358, page 62, an Order of Taking, dated April 2, 1970, concerning and describing the CAMPUS HIGH SCHOOL URBAN RENEWAL AREA, all of the findings, determinations and descriptions set forth therein being incorporated herein by reference and made a part hereof;

WHEREAS, the Boston Redevelopment Authority, in accordance with G.L., c. 121B and its predecessor statute G.L., c. 121, adopted and filed in the Suffolk County Registry of Deeds, Book 8056, page 295, an Order of Taking, dated June 30, 1966, concerning and describing the SOUTH END URBAN RENEWAL AREA, MASS. R-56, all of the findings, determinations and descriptions set forth therein being incorporated herein by reference and made a part hereof; and

WHEREAS, the Redevelopment Authority has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by G.L., c. 79, § 40.

NOW, THEREFORE, ORDERED that the Boston Redevelopment Authority, acting under the provisions of Chapter 121B and without limiting the generality of the foregoing Section 48, subparagraph (b) of General Laws (Ter. Ed.) Chapter 121B, and all other authority thereunto enabling, and pursuant to the applicable provisions of General Laws (Ter. Ed.) Chapter 79, as amended, and of any and every other power and authority to it, granted or implied, hereby takes for itself in fee simple

by eminent domain for the purposes hereinbefore set forth, the area or areas located in the City of Boston as hereinafter described, including all parcels of land therein, together with any and all easements and rights appurtenant thereto, including the trees, buildings and other structures standing upon or affixed thereto, and including the fee to the center of any and all public streets, highways and public ways, contiguous and adjacent to said area or areas, except any and all easements of travel in and to any and all public streets, highways and public ways in said area or areas or contiguous and adjacent thereto, and there is expressly excluded from this taking any right, title or interest the Commonwealth of Massachusetts has in the property taken by this Order of Taking, being bounded and described in ANNEX A attached hereto and made a part hereof as though incorporated herein in full.

AND FURTHER ORDERED that in accordance with the provisions of the said c. 79, as amended, awards are made by the Boston Redevelopment Authority for damages sustained by the owner or owners and all other persons including all mortgagees of record having any and all interest in each parcel described in ANNEX A and entitled to any damages by reason of the taking hereby made. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The awards hereby made are set forth in ANNEX B, which Annex B is not to be recorded in the Registry of Deeds with the Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Taking to be recorded in the office of the Suffolk County Registry of Deeds.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the corporate seal of the Authority to be hereto affixed and these presents to be

signed in the name and behalf of the Boston Redevelopment Authority.

DATED: APR 17 1986

BOSTON REDEVELOPMENT AUTHORITY

Robert L. Tamm

Joseph J. Flinn

James M. Flaherty

Clarence J. Jones

Michael J. Sullivan

ATTEST:

Kary Surman

Secretary of the Boston Redevelopment Authority

Approved as to form:

Ralph F. Cahill

Ralph F. Cahill, Assistant General Counsel

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

CAMPUS HIGH SCHOOL AND SOUTH END

URBAN RENEWAL AREAS

TAKING AREA DESCRIPTION

The following is to be taken by this Order of Taking:

Those streets, avenues, roads and ways of public travel located within the boundaries of the area, starting at the northwesterly side of Tremont and the northeasterly side of Whittier Street and running northeasterly along the sideline of Tremont Street to the southwesterly side of Melnea Cass Boulevard;

then running along the southwesterly sideline of Melnea Cass Boulevard to the intersection with the easterly side of Columbus Avenue;

then diagonally crossing Columbus Avenue to the northeasterly corner of Sarsfield Street intersection with the westerly side of Columbus Avenue;

then running along the northeasterly side of Sarsfield Street and Sarsfield Street extended to the easterly side of the Right-of-Way Line of the Massachusetts Bay Transportation Authority, Southwest Corridor;

then running along the easterly line of said right-of-way to the intersection of Whittier Street northwesterly sideline extended;

then running along the Whittier Street northeasterly sideline to the point of beginning.

The supposed owner of the above-described property is the City of Boston.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

CAMPUS HIGH SCHOOL AND SOUTH END

URBAN RENEWAL AREAS

AWARD OF DAMAGES

Award for Order of Taking dated April 17, 1986,
for those portions of public ways located within the
boundaries of Whittier Street, Tremont Street, Melnea
Cass Boulevard, Sarsfield Street easterly side and the
Right-of-Way Line of the Massachusetts Bay Trans-
portation Authority, Southwest Corridor, supposed
owner: City of Boston, is \$1.00.

